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Read 18 March 1751

Enacted 24 Geo II Public Acts

C 16.



An ACT for the more speedy and easy
Recovery of small Debts within the
City of Lincoln, and County of the
same City, and the Liberties and
Precincts thereof; and within the
~~Close and~~ Bail of Lincoln ~~within~~
the County of Lincoln.



Whereas from time immemorial the Sheriffs
of the City of *Lincoln*, and County of the
same, together with the Steward of the Courts
of the said City, have usually held, once in every
Fortnight, a Court of Record for the Tryal of
all civil Actions, commonly called, *The foreign
Court of the Sheriffs of the City of Lincoln*; But
the Proceedings of the said Court have been
found to be expensive, and dilatory; and
by that means many ill-disposed Persons,
who have contracted small Debts within the

same City, and County of the same, and in the Bail of *Lincoln*, which
Bail of *Lincoln* is in the County of *Lincoln*; though they are well able,
A refuse

refuse to pay the Debts which they have so contracted, presuming on the Discouragements their Creditors lie under from the Expence they are unavoidably put unto, and the Delays they meet with, in suing for the same:

For the Remedy thereof, and to the Intent that some more easy and speedy Method may be provided for the recovering of small Debts within the said City of *Lincoln*, and County of the same, and the Liberties and Precincts of the same; and the Liberty of *Bemon Fee* within the said City; and in the said Bail of *Lincoln*;

May it please Your most Excellent MAJESTY,

The Mayor
and Aldermen
to assemble
every Month,

and nominate
Two Alder-
men and Four
Common-
Council, and
Six Inhabit-
ants,
to be Com-
missioners for
the next
Month.

Two Lists to
be made by
the common
Clerk.

One to be
stuck up on
St. Peter's
Church, or
most noted
Place,

the other to
be given to
the Steward;
who shall
summon the
Commission-
ers appointed,
and stick up
a Copy in the
Guildhall.

That it may be **Enacted**; And be it **Enacted**, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Mayor and Aldermen of the said City of *Lincoln*, to assemble in the *Guildhall*, or in some other more convenient Place within the said City; and they are hereby respectively impowered and required to meet on the Twenty-fourth Day of *June* in the Year of our Lord One thousand Seven hundred and Fifty-one; and in every succeeding Month, on such Day as the Mayor of the said City for the Time being shall for that Purpose appoint, provided the same shall not be on a *Sunday*, nor within less than Six Days before the End of such Month; and nominate and assign Two of the Aldermen, Four of the Common Council of the said City, and Six of the Gentlemen, most substantial and discreet Householders, Shopkeepers, or Tradesmen, residing and inhabiting within the said City, or County of the same, or within the Liberty of *Bemon Fee*, or Bail of *Lincoln* afore said, who are to be Commissioners for One Calendar Month next immediately after such Nomination, for the Purposes herein after-mentioned and expressed; and the Common Clerk of the said City shall, within Two Days after every Nomination of Commissioners, pursuant to this Act, cause Two Lists to be made out of the several Persons so respectively nominated and assigned, as afore said; and shall cause One of the said Lists, or true Copy thereof, to be fixed, or stuck up on the Church-Door of *Saint Peter at Arches*, or otherwise on the most noted and publick Place within the said City; and shall deliver, or cause to be delivered, the other of the said Lists to the Steward of the Courts of the said City, or his Deputy or Officer, who shall forthwith give, or cause to be given, Notice to all and every the said Commissioners so nominated and assigned, of the being so appointed Commissioners, as afore said; and shall also forthwith cause a true Copy of such List to be stuck up in some convenient Part of the *Guildhall* of the said City; which said Persons so nominated and assigned by the Mayor and Aldermen, as afore said, from time to time, shall be and are hereby declared, constituted, and appointed Commissioners, to hear and determine

determine all such Matters of Debt as are here after-mentioned ; and such Commissioners, so from time to time to be nominated and assigned, as afore-
 said, are hereby constituted a Court of Justice, by the Name of the Court <sup>Commission-
 ers constituted
 a Court.</sup> of Requests for the City of *Lincoln*, and County of the same City, and the Liberties and Precincts thereof, and the Liberty of *Bemon Fee* within the said City; and of the Bail of *Lincoln*: And the said Commissioners, or any Three or more of them, are hereby authorized, impowered, and required, to assemble, sit, and hold the said Court, once in every Week ; *videlicet*, on every *Tuesday* in the *Guildhall* of the said City, or in some convenient Part thereof, or some other Place near or thereunto adjoining, so as not to im- <sup>Three or
 more to sit
 on every
 Tuesday.</sup> pede or interrupt the Business at any time hereafter to be done, by or before his Majesty's Justices of Assize, Justices of Oyer and Terminer, Justices of Gaol-Delivery, or Justices of the Peace, or the Courts-Leet, or Foreign Court, or Courts of Sewers, or Common-Councils, usually done, held, or kept, in the said *Guildhall*: And the said Commissioners so to be nominated and assigned, for the Time being, or any Three or more of them, shall have Power and Authority, by virtue of this Act, to hear and determine all such Causes as are herein after-mentioned ; and to pronounce such Judgment, and to make such Orders and Decrees, and to award Execution <sup>And give
 Judgment,
 and award
 Execution,
 with Costs.</sup> thereupon, with Costs, against the Body, or against the Goods and Chattels, of all and every of the Person or Persons against whom they shall give such Judgment, make such Order, or such Decree, as to them shall seem just in Law or Equity ; so as no Person shall remain in Prison, upon an Execution, for a longer Space than Sixty Days.

And be it further Enacted, by the Authority aforesaid, That in any Case where the said Commissioners shall have made any Order or Decree for the Payment of Money, it shall and may be lawful for the Clerks of the said Court of Requests, or any of them, at the Prayer of the Party prosecuting such Order and Decree, to issue a Precept, under their or his Hands and Seals, or Hand and Seal, in the Nature of a Writ of *Fieri facias*, or *Capias ad satisfaciendum* ; which Precept shall be directed to the said Steward, who is hereby authorized and required to levy the Sum and Sums of Money mentioned in such Precept, in the same manner as any Sheriff may levy Money by virtue of any Writ of *Fieri facias*, or *Capias ad satisfaciendum*, issuing out of any of his Majesty's Courts of Record at *Westminster*.

Provided always, and it is hereby Enacted, by the Authority <sup>None to have
 a Voice but
 those sum-
 moned, or any
 way liable to
 be summoned,
 more than
 Thrice in one
 Year.</sup> aforesaid, That no Alderman, Common-Councilman, Gentleman, Householder, Shopkeeper, or Tradesman, nor any of the Officers of the said Court, and no other Person whatsoever, except the Persons so nominated and assigned, and summoned, as aforesaid, shall have any Voice in the said Court of Requests, held under the Authority of this Act : And no Person shall be liable to be put upon such List, to attend the said Court as a Commissioner thereof, oftener than thrice in every Year.

And,

Persons not
appearing on
Summons,

or not con-
forming to the
Orders of the
Court,

may be com-
mitted.

And be it further Enacted, by the Authority aforesaid, That if a Plaintiff or Creditor, Defendant or Debtor, or any Person or Persons, summoned by virtue of this Act, shall, without just Cause to be allowed by the said Commissioners in Court, or any Three or more of them, refuse to appear in the said Court before the said Commissioners, or shall not perform such Order as the said Commissioners, or any Three or more of them shall make, or set down, for or concerning such Debts, as aforesaid, it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to issue their Warrants, under their Hands and Seals, to apprehend such Plaintiff or Creditor, Defendant or Debtor, or such Person or Persons, so refusing to appear, and to commit every such Person or Persons, so refusing to appear, and not performing such Orders of the Court to the common Gaol or House of Correction for the said City, there to remain until he, she, or they, shall perform the Order of the said Commissioners so as no Person shall remain in Custody for any longer Time than Forty Days.

Power given
to Refiants,
&c. to sue for
Debts under
40 s.

And be it further Enacted, by the Authority aforesaid, That from and after the said Twenty-fourth Day of *June* One thousand Seven hundred and Fifty-one, it shall and may be lawful to and for every Person or Persons who now have, or hereafter shall have, any Debt or Debts due or owing unto him, her, or them, not amounting to the Sum of Forty Shillings, by any Person or Persons whatsoever, residing, inhabiting, seeking a Livelihood, within the said City of *Lincoln*, or County of *Lincoln*, or the Liberties or Precincts thereof, or within the Liberty of *Bennington* Fee within the said City, or in the said Bail of *Lincoln*, or by any other Person or Persons whatsoever, to apply to the Clerks of the said Court, or their sufficient Deputy or Deputies, who shall cause such Debtor or Debtors to be warned or summoned by the said Steward, his Deputy or Officer (who shall be hereby appointed, authorized, and required, to execute all Warrants, Precepts, and Process of the said Court of Requests) by personal Service, or by Writing left at the Dwelling-house, Place of Abode, or Shop, of such Debtor or Debtors, to appear before the Commissioners of the said Court, at such Place, to be held at or in the said *Guildhall*, or other Place, to be provided, as aforesaid, and that the said Commissioners, or any Three or more of them, shall, at such Summons, as aforesaid, have full Power and Authority, by virtue of this Act, to make, or cause to be made, such Acts, Order or Orders, Decrees, Judgments, and Proceedings between such Party or Parties, Plaintiffs, and his, her, or their Debtor or Debtors, Defendants, touching such Debts, not amounting to the Sum of Forty Shillings, as they shall find to stand with Equity and good Conscience: And all such Acts, Decrees, Judgments, and Proceedings, Order or Orders, shall be entered and registred in a Book to be kept for that Purpose, by the Clerks of the said Court, or their sufficient Deputy; and shall be observed, performed, and kept, in all Parts, as well by the Plaintiff as by the Debtor or Defendant.

And, for the better Discovery of the Truth, and the more solemn De-
termination of Matters and Causes, which shall be depending in the said Court intended to be established by this Act, **It is hereby further Enacted**, That it shall and may be lawful for the said Commissioners, or any Three or more of them, to administer an Oath to the Plaintiff, Defendant or Defendants, and to such Witness or Witnesses as shall be produced by each Party, and also to all the Officers of the said Court, and to all other Persons whatsoever, for or concerning any Business relative thereunto, if the same Commissioners, or any Three or more of them, shall think it meet.

Commissioners may administer Oaths to the Parties.

And be it further Enacted, by the Authority aforesaid, That if in any Action of Debt, or Action on the Case, upon an *Assumpsit* for Recovery of any Debt, to be sued or prosecuted against any Person or Persons aforesaid, in any of the King's Courts at *Westminster*, or elsewhere out of the said Court of Requests, it shall appear to the Judge or Judges of the Court where such Action shall be sued or prosecuted, that the Debt to be recovered by the Plaintiff in such Action doth not amount to the sum of Forty Shillings; and the Defendant in such Action shall duly prove, by sufficient Testimony, to be allowed by any the Judge or Judges of the Court where such Action shall depend, that at the Time of commencing such Action, such Defendant was inhabitant and resident within the said City of *Lincoln*, and County of the same, or any Part thereof, or within the Liberty of *Bemou Fee* within the said City, or in the said Bail of *Lincoln*, and was liable to be warned or summoned before the said Court of Requests for such Debt, then and in such Case, unless the Judge or Judges, who shall try the said Cause, shall, in open Court, certify on the Back of the Record, that there was a probable or reasonable Cause of Action for Forty Shillings, or more; or that the Freehold or Title to the Plaintiff's Land, or that an Act of Bankruptcy, principally came in Question; the Plaintiff shall not recover, but be nonsuited in such Action; and the Defendant or Defendants shall be intitled to recover double Costs of Suit.

In an Action for a Debt under 40 s. sued for in any other Court.

The Defendant to have double Costs.

Provided always, That it shall and may be lawful to and for the Plaintiff in such Action, afterwards to prosecute the said Defendant for the Recovery of his said Debt in the said Court of Requests; any thing herein before contained to the contrary thereof in any-wise notwithstanding.

Plaintiff may afterwards sue for the Debt in the Court of Requests.

And, for the more effectual establishing the said Court of Requests, and the better enforcing the Orders and Decrees which shall be made by the said Commissioners; and that the said Commissioners may be invested with proper Power and Authority, and be free and exempt from any Inults or Abuses; **Be it further Enacted**, by the Authority aforesaid, That if any Person or Persons shall contemptuously affront, insult, or abuse, all or any of the Commissioners of the said Court, during their Sitting in the said Court, it shall and may be lawful to and for the said

The Method of Proceeding and Punishment, where any shall insult or affront the Court.

Steward or his Deputy, Officer or Officers, by Order of the said Commissioners then sitting, or any Three or more of them, to take such Person or Persons so offending, as aforesaid, into Custody, and carry him or them, before the Mayor of the said City of *Lincoln* for the Time being; or in his Absence, before One or more of his Majesty's Justice of the Peace for the said City, who shall not then be nominated or assigned to be a Commissioner, as aforesaid, to answer such Affront, Insult, or Abuse; and upon the Fact alledged being duly proved, upon the Oath or Oaths of one or more credible Witnesses or Witnesses against him or them, then, and in such Case, the said Mayor, or, in his Absence, the said Justice or Justices, shall proceed to punish such Person or Persons offending, as aforesaid, by Fine or Imprisonment; provided that the Fine on any one Person do not exceed the Sum of Twenty Shillings, and that the Imprisonment be for no longer Time than Ten Days.

The Fine to be levied by Distress and Sale on Resiants.

Where the Offender is not resiant, or hath not Goods and Chattels, he is to be committed.

And be it further Enacted, by the Authority aforesaid, That upon the Non-payment of the said Fine so to be imposed or set upon every Person convicted of offending, as aforesaid, it shall and may be lawful for the said Mayor, or, in his Absence, the said Justice or Justices, to issue Warrant or Warrants, under his or their Hands and Seals, for levying the said Fine or Fines so imposed upon the Goods and Chattels of every such Offender or Offenders, being then resiant and inhabiting within the said City of *Lincoln*, or County of the same, or the Liberties or Precincts thereof, or within the Liberty of *Bemon Fee* within the said City; or in the said Bail of *Lincoln*; and to cause Sale to be made thereof, in case they shall not be redeemed within Five Days, rendering the Overplus, if any, to the Owner, upon Demand, after deducting the reasonable Charges of such Distress and Sale: And if such Offender or Offenders shall not be resiant and inhabiting within the said City of *Lincoln*, or County of the same, or the Liberties or Precincts thereof, or within the Liberty of *Bemon Fee* within the said City, or in the said Bail of *Lincoln*, or shall not have any Goods or Chattels within the said City of *Lincoln*, or County of the same, or the Liberties or Precincts thereof, or within the Liberty of *Bemon Fee* within the said City, or in the said Bail of *Lincoln*, whereof such Fine or Fines can be levied as aforesaid, then, and in such Case, and upon Non-payment of such Fine or Fines, it shall and may be lawful for the said Mayor, or, in his Absence, for the said Justice or Justices, by Warrant under his or their Hands and Seal, or Hands and Seals, to commit such Offender or Offenders to the common Gaol of the said City, there to remain for the Space of Seven Days, unless he, she, or they, sooner pay the said Fine or Fines so imposed, as aforesaid; in which case he, she, or they, on Payment of such Fine or Fines, shall be forthwith discharged out of Custody.

Application of the Fines.

And whereas the Sheriffs of the said City, for the Time being, are entitled to Fees in the said Foreign Court, and may sustain great Loss by this Act, unless some Compensation be made to them for the same; and a

by the Charter of the said City, and of antient Custom, are intituled to the Fines and Amerciaments set or imposed on any Person or Persons whatsoever, within the said City of *Lincoln*, or County of the same, or the Liberties or Precincts thereof; **Therefore be it Enacted**, by the Authority aforesaid, That the said Fine or Fines, when levied or recovered, by virtue of this Act, shall be immediately paid over into the Hands of the Sheriffs of the said City for the Time being, for their own proper Use and Benefit.

And be it further Enacted, by the Authority aforesaid, That the ^{Copy of the} Clerks of the said Court, or one of them, shall fix, or cause to be fixed, ^{Two last preceding} or stuck up, in the most publick Part of the said *Guildhall*, or such other ^{Clauses to be stuck} Place where the said Commissioners shall sit to do Business, as aforesaid, a ^{up.} true Copy of the Two last preceding Clauses of this Act; to the end that no Person or Persons shall or may pretend Ignorance in the Premises.

And be it further Enacted, by the Authority aforesaid, That in case ^{Penalty of} any Person or Persons shall make Oath, or give Evidence, in any Cause ^{wilful or corrupt} depending in the said Court of Requests, whereby he, she, or they, shall commit any wilful or corrupt Perjury, and shall thereof be duly convicted according to Law, then every such Person or Persons shall incur and suffer the like Pains and Penalties as any other Person or Persons, convicted of wilful Perjury, is or are liable to by the Laws and Statutes of this Realm.

And be it Enacted, by the Authority aforesaid, That *Francis Bernard*, of the *Clofe* of *Lincoln*, Esquire, the present Steward of the Courts ^{Steward appointed.} of the said City, and his Successors for the Time being, shall be Steward of the said Court of Requests, so long as he and they shall behave himself and themselves well in the said Office.

And whereas in the said Foreign Court of the said City of *Lincoln*, ^{Clerks appointed.} there antiently have been Four Attorneys only, who have been allowed to practise, and be Advocates in the said Court, who hold their Offices for the Terms of their natural Lives respectively, and may sustain great Loss by this Act, unless some Compensation be made to them for the same; **Therefore be it further Enacted**, by the Authority aforesaid, That *Thomas Becke*, *John Harvey*, *Joshua Peart*, and *Charles Newcomen*, Gentlemen, the present Attorneys of the said Foreign Court of the said City, shall be, and are hereby constituted and appointed, Clerks of the said Court of Request, as a Compensation for the Loss they will sustain in their said Offices, by this present Act, during their respective good Behaviour, who shall be, and are hereby, impowered and required to issue out and register all Summons, Warrants, Precepts, Acts, Orders, Decrees, Judgments, Attachments, and Proceedings of the said Court; and shall keep proper Books, wherein shall be entered and registred all Acts, Orders, and Proceedings of the same; and that no Officer of the said Court shall be capable of being

No Officer toing a Commissioner thereof, or interfere, or any-ways intermeddle, with
interfere, or the Business thereof, other than what appertains to their several and respective
be a Com- Offices.
missioner.

On Death, Removal, &c. of the Steward or Clerks, the Corporation to elect another.
And be it further Enacted, by the Authority aforesaid, That it shall and may be lawful to and for the Mayor, Aldermen, and Common Council of the said City of *Lincoln*, at some convenient Time to be for that Purpose appointed by the Mayor of the said City for the Time being, within One Month next after the Death, Resignation, or Removal of the said Steward, or of any of the said Clerks appointed by this Act, and the said Mayor, Aldermen, and Common Council, are hereby authorized and required, to elect another Person or Persons, in the room and stead of the said Steward, or such of the said Clerks, so dying, resigning, or being removed, as aforesaid, for the Uses and Purposes in this Act contained, by such Ways and Means, and in such Manner and Form, as the said Mayor, Aldermen, and Common Council of the City of *Lincoln*, have antiently been accustomed to proceed in the Election of the said Steward, and the said Attorneys of the Foreign Court, and other the Courts of the said City; and so from time to time, upon every Vacancy of the said Offices of Steward or Clerks for ever.

Commissioners to be sworn.

And be it further Enacted, by the Authority aforesaid, That no Person or Persons shall be capable of acting as Commissioner or Commissioners in the Execution of the Powers given by this Act, until such time as he and they shall have respectively taken an Oath to the Effect following :

Oath.

I A. B. do swear, That I will faithfully, impartially, and honestly according to the best of my Judgment, hear and determine such Matters and Things as shall be brought before me by virtue of an Act of Parliament, intituled, An Act for the more speedy and easy Recovery of small Debts within the City of Lincoln and County of the same City and the Liberties and Precincts thereof and within the Bail of Lincoln in the County of Lincoln without Favour or Affection to either Party.

Clerks to administer the Oath.

Which Oath the said Steward and Clerks, or One of them, are or is hereby empowered and required to administer in open Court ; a Memorial whereof shall be entered in the Register of the said Court.

Fees allowed to be taken by the Steward and Clerk.

And be it further Enacted, by the Authority aforesaid, That the several Fees hereafter limited and expressed, and no other Fee or Fees, shall and may be taken for the respective Services of the said Steward and Clerks ;

Clerks; that is to say, For issuing out every Summons, to the Clerks, Three-pence: For the Service of such Summons, to the Steward, Three-pence: For entering the Appearance of the Defendant or Defendants, to the Clerks, Four-pence; to the Steward, Four-pence: For calling the Defendant when he refuses to appear, to the Clerks, Two-pence; to the Steward, Two-pence: For every Hearing, to the Clerks, Four-pence; to the Steward, Four-pence: For every Order, to the Clerks, Three-pence; to the Steward, Three-pence: For entering every Order, to the Clerks, Four-pence: For an Attachment against the Defendant for not appearing, to the Clerks, Six-pence; to the Steward, Ten-pence: For an Execution, to the Clerks, Ten-pence; to the Steward, One Shilling and Two-pence: For all Persons committed for insulting the Court, over and above the Fine, to the Steward, One Shilling: For searching the Books, to the Clerks, Two-pence: For a Nonsuit on the Plaintiffs not appearing, to the Clerks, Four-pence; to the Steward, Four-pence: A Table of which Fees shall be hung up by the Clerks of the said Court, or One of them, in some publick or most conspicuous Part of the said *Guildhall* of the said City, or other Place, where the said Commissioners shall meet for the Purposes aforesaid; to the end that all Persons may at all times see and read the same.

A Table of the Fees to be hung up in the Court.

And be it further Enacted, by the Authority aforesaid, That if the said Steward for the Time being, or any of his Officers, or the said Clerks, or any of them, or their Officers, shall take or demand any greater or other Fee or Fees, than as above-mentioned; that then, upon Complaint made to the said Commissioners sitting in Court, of the said Offence or Offences, such Complaint being duly proved, upon the Oath of one or more credible Witness or Witnesses, against him or them so offending, as aforesaid, the said Commissioners shall proceed to punish such Person or Persons so offending, as aforesaid, by Fine, not exceeding the Sum of Five Pounds for any one Offence, to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of the said Commissioners, or any Three of them, rendering to the Owner the Overplus (if any) after the Charges of such Distress and Sale are deducted; which said Fine or Fines of such Person or Persons so offending, when levied or recovered, shall be immediately paid over to the Sheriffs of the said City of *Lincoln* for the Time being.

Penalty on the Steward, or his Officers, or the Clerks, or their Officers, taking greater Fees, or otherwise misbehaving.

Application of the Penalty.

And be it further Enacted, by the Authority aforesaid, That if, upon Complaint made, by any Person or Persons, of the Misbehaviour of the Steward, or of any Clerk or Clerks appointed, or to be appointed, by virtue of this Act, or of the Steward, and his Officers, or of any Clerk or Clerks, or their Officers, taking or demanding any greater or other

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Method of Proceeding against the Steward or Clerks, where the Offence deserves a greater Punishment.

other Fees than as above-mentioned, it shall appear to the Commissioners then present, that such Offence deserves a greater Punishment than is before provided, it shall and may be lawful for the Commissioners then sitting in Court, or the major Part of them, in case they shall so think fit, by Writing under their Hands and Seals, to signify such Complaint to the Mayor of the said City of *Lincoln*; and, upon such Complaint, so signified, it shall and may be lawful for the said Mayor of the said City for the Time being; and he is hereby authorized and required, to cause the Common-Council of the said City of *Lincoln* to be summoned to meet as soon as conveniently may be, to examine into the Matter of such Complaint; and if it shall then appear to the said Common-Council, or the major Part of them, that such Steward, Clerk or Clerks, hath or have been guilty of a gross Misbehaviour, or Breach of Duty, in his or their Office, that then it shall and may be lawful to and for the said Common-Council, or the major Part of them, to suspend or remove such Steward, Clerk or Clerks, from his or their said Offices; and to elect another Person or Persons in the room of the Person or Persons so removed.

Certain Debts
not liable to,
be sued by
this Act.

Provided always, That this Act, or any thing herein contained, shall not extend to any Debt for any Rent upon any Lease of Lands or Tenements, or on any other real Contracts; nor to any Debt which shall arise by reason of any Cause concerning Testament or Matrimony, or any thing concerning, or properly belonging to, the Ecclesiastical Court, albeit the same shall be under Forty Shillings; any thing herein before contained to the contrary in any-wise notwithstanding.

No Suit for
Debts reco-
verable by
this Act to be
brought in
any Court.

And be it further Enacted, by the Authority aforesaid, That no Action or Suit for any Debt, not amounting to the Sum of Forty Shillings, and recoverable, by virtue of this Act, in the said Court of Requests, shall be brought against any Person in any other Court whatsoever.

Limitation of
Actions.

And be it further Enacted, by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons, for any Matter or Thing done, or to be done, in pursuance of this Act, then, and in such Case, such Action or Suit shall be brought or commenced within Three Calendar Months next after the Fact committed, and not afterwards: And the Defendant or Defendants, in such Action or

General Issue.

Suit, shall and may plead the General Issue; and give this Act, and the special Matter, in Evidence, at any Tryal to be had thereon: And if the Plaintiff or Plaintiffs shall become Nonsuited, or discontinue his or their Action or Actions, Suit or Suits, or if, upon Verdict or Demurrer, Judgment

ment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs; and have such Remedy Treble Costs, for the same as any Defendant or Defendants hath or have in any other Cases by Law.

And be it further Enacted, by the Authority aforesaid, That this Publick Act; shall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as such by all Judges, Justices, and all other persons whatsoever, without Specially pleading the same.



within the City of Lincoln, and
County of the same City, and the
Liberties and Precincts thereof;
and within the Close and Bail of
Lincoln within the County of
Lincoln.